

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION**

**ESTATE OF J.C. PAYNE, IV,**

**Plaintiff,**

**V.**

**CITY OF MEMPHIS, TENNESSEE,  
EARNEST CARTWRIGHT, SR.,  
MEMPHIS LIGHT GAS & WATER AKA  
MLGW, and JOHN DOE POLICE  
OFFICERS 1-10,**

## Defendants.

**No. 2:21-cv-02539-SHM-atc**

## Jury Trial Demanded

**MLGW'S UNOPPOSED MOTION AND SUPPORTING MEMORANDUM  
FOR EXTENSION OF TIME TO RESPOND  
TO PLAINTIFF'S COMPLAINT FOR DAMAGES**

Pursuant to Rules 6 and 12 of the Federal Rules of Civil Procedure, as well as other applicable provisions of law, Defendant Memphis Light Gas & Water (“MLGW”) hereby moves the Court to extend its time to respond to Plaintiff Estate of J.C. Payne, IV’s (“Plaintiff”) Complaint for Damages (ECF No. 1) (the “Complaint”) by fourteen days, to Tuesday October 5, 2021. In support of its motion, MLGW states as follows:

MEMORANDUM OF FACTS AND LAW IN SUPPORT OF MOTION

1. Plaintiff filed the Complaint on August 19, 2021.
2. MLGW was served on August 31, 2021.
3. MLGW has until Tuesday, September 21, 2021 to file a responsive pleading.

4. The undersigned counsel was recently hired to represent MLGW.
5. MLGW needs additional time to investigate the statements and allegations in the Complaint.
6. Pursuant to Local Rule 7.2(a)(1)(B), counsel for MLGW consulted with Plaintiff's counsel Juan T. Williams regarding the requested extension.
7. Mr. Williams advised that Plaintiff is not opposed to the relief requested in the instant motion.
8. This motion is not intended to delay Plaintiff's lawsuit and will not prejudice Plaintiff, particularly considering service has not yet been made on all defendants named in the Complaint.
9. A proposed order granting this motion is being e-mailed to the Court for its consideration.

Therefore, MLGW respectfully requests that the Court extend its time to respond to Plaintiff's Complaint by fourteen days, through and including October 5, 2021.

Respectfully submitted,

/s/ Meghan M. Cox  
Odell Horton, Jr. (# 12426)  
Meghan Cox (# 33028)  
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*Attorneys for Memphis Light Gas & Water*

**CERTIFICATE OF CONSULTATION**

On September 17, 2021, counsel for MLGW, Odell Horton, Jr. and Meghan M. Cox, conferred via telephone with Plaintiff's counsel Juan T. Williams regarding this motion. Mr. Williams advised that he was not opposed to the relief requested herein.

/s/ Meghan M. Cox

**CERTIFICATE OF SERVICE**

The undersigned certifies that on September 20, 2021, a true and correct copy of the foregoing has been served upon the following counsel, via the Court's ECF filing system:

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/s/ Meghan M. Cox